



INSTRUCTIONS FOR COMPLETING “PETITION FOR PERSONAL PROTECTION ORDER” **(DOMESTIC RELATIONSHIP)**

If you are experiencing domestic violence from a spouse, intimate partner, or family member, you may be entitled to a Personal Protection Order (PPO). A PPO is intended to provide protection for a person who is experiencing harm or threats of harm from a person with whom that person has or had a relationship.

If you do not share a family or intimate relationship with the other person, please ask staff for a Non-Domestic PPO instruction sheet.

To request a PPO from the Tribal Court, you must first complete a **Petition for Personal Protection Order**.

By filling out a Petition for Personal Protection Order, you are asking the Tribal Court to issue an order prohibiting the other person (the “respondent”) from doing certain things, such as making any contact with you and your family, coming near your personal residence or workplace, contacting you through third parties, making threats or harming you in any way, or causing damage to your property. If a protection order is issued and later violated by the respondent, he/she may be subject to arrest and other sanctions, including imprisonment.

By law, a personal protection order may only be issued if certain requirements are met.

To be entitled to a protection order, you must show the Court that you have experienced the following:

1. Actual physical or mental harm;
2. The fear of imminent physical or mental harm; or
3. A pattern involving more than one incident when the respondent made you feel terrorized, frightened, intimidated, threatened, harassed or controlled.

To meet this standard, you will want to inform the Court of every instance of domestic violence committed by the respondent, including non-physical acts that caused fear.

Be as specific as possible, and include not only the most recent incident(s) but any incidents that may have occurred in the past.

If you are in immediate danger, you should ask the judge for an “ex-parte” order, which means the personal protection order could be issued without waiting for a hearing.

Completing the Petition for Personal Protection Order

Items (1) through (6) on the Petition for Personal Protection Order must be completed before it can be filed. Please read the instructions for each numbered item and fill in the information on the form as accurately and thoroughly as possible.

1. Write **your** name, address, and phone number in the “Petitioner” box. If you are under 18 years of age, write your age. Write the name, address, and phone number of the person you want restrained in the “Respondent” box; if he/she is under 18 years of age, write his/her age. **If you want your address and phone number to be kept from the respondent, do not write your address. Ask a separate confidential address form.** Also check the appropriate box indicating whether you have been/are husband and wife, resided in the same household, had a child in common, or had a dating relationship. Describe your relationship in the blank.
2. Indicate whether the respondent or petitioner is an American Indian and his/her Tribal affiliation.
3. Check if the respondent is required to carry a firearm while at work. If you aren’t sure, check “unknown.”
4. Indicate whether or not there are any pending court cases between you and the respondent. If there are, please note the case number, the name of the tribe, the court, the county, the state where it was filed, and the judge.
5. **Explain as thoroughly and in as much detail as possible** why you are asking for a PPO. Describe what has happened so that judge has enough facts to decide if an order should be signed. Describe any previous/separate instances of abuse, threats, or any other acts that caused you to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Include dates and places. Write on a separate sheet of paper and attach it to this form if necessary. **Be sure to check the “CAUTION” box if you experienced physical violence or threats of physical violence, or if there was a weapon involved, or if you believe the respondent might have a weapon.**
6. **Check each box that you need.** You must be able to tell the judge why you need protection.
7. Check the box requesting an “ex-parte order” if you believe the respondent might hurt you between now and the time a hearing may be granted, or if you believe that the respondent might hurt you when he is given notice of a scheduled hearing. An “ex-parte order” means you do not have to let the other party know in advance that you are asking the court for an order and you do not have to wait for a court hearing to get an order. **If you are granted the ex-parte order a hearing must be held within 14 days. You and the respondent will need to be present at this hearing. If you request an ex parte order and the judge denies it, you may request a hearing. If you do not check the box for an ex parte order, you will receive a court hearing before an order is granted.**
8. **Be sure to check this box.** This asks the Court to set a date for a hearing to consider granting a final order and other relief, and to send a summons to the respondent ordering him to return to court for that hearing.
9. If you are under 18 years old, you can have an adult to petition for you, but it is not required. Check this box if you are having someone helping you file this form, and have him/her sign the petition.
10. Write in today’s date and sign the form. Do not enter anything in the “COURT ACTION” section.

When you have completed the form, provide it to the Court Clerk. He/she will complete the form and provide copies.

Little Traverse Bay Bands of Odawa Indians Tribal Court	PETITION FOR PERSONAL PROTECTION ORDER (DOMESTIC RELATIONSHIP)	CASE NO.
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Court Mailing Address: 7500 Odawa Circle, Harbor Springs, MI 49740

Court Telephone No. (231) 242-1462

Petitioner's Name	Age
Address and telephone no. where court can reach petitioner	

Respondent's Name	Age
Address and telephone no.	
Social Security #	
Occupation/Employer	

1. The petitioner and respondent: ☐ are husband and wife. ☐ were husband and wife. ☐ have a child in common.
☐ have or had a dating relationship. ☐ reside or resided in the same household.

Relationship between petitioner and respondent: _____

2. A. The petitioner is American Indian. ☐ NO ☐ YES; If known, Tribal Affiliation _____, Tribal ID # _____.
B. The respondent is American Indian. ☐ NO ☐ YES; If known, Tribal Affiliation _____. Tribal ID # _____.

3. The respondent is required to carry a firearm in the course of his/her employment.
☐ Yes ☐ No ☐ Unknown

4. a. There ☐ are ☐ are not other pending actions in this or any other court regarding the parties.

Case Number	Name of tribe, court, county, and state or province	Name of Judge

- b. There ☐ are ☐ are not orders/judgments entered by this or any other court regarding the parties.

Case Number	Name of tribe, court, county, and state or province	Name of Judge

5. I need a personal protection order because: Explain in a much detail as possible what has happened and why the judge should issue a protective order (attach additional sheets if necessary).

CAUTION: ☐ Physical force or threats of force involved ☐ Weapon involved ☐ Believed to be armed and dangerous

MOTION FOR RELIEF

6. I ask the court to grant a personal protection order restraining the respondent from:

- ☐ a. entering within _____ feet of the property where I reside and/or vacating shared residential property.
- ☐ b. entering within _____ feet of the property located at:

Address: _____

Reason: _____

Address: _____

Reason: _____

- ☐ c. committing or threatening to commit any further acts of domestic violence or abuse against myself and/or:

Name and Relationship

Name and Relationship

Name and Relationship

Name and Relationship

- ☐ d. removing the minor children from the petitioner who has legal custody, except as allowed by a custody or parenting time order as long as removal of the children does not violate other conditions of the personal protection order.

- ☐ e. harassing behavior(s), either directly or through a third party including minor children, including but not limited to:

- ☐ following or appearing within my sight
- ☐ contacting me by telephone, mail, or other correspondence
- ☐ appearing at my workplace or residence
- ☐ approaching or confronting me in a public place or on private property
- ☐ entering onto and/or remaining on property owned, leased, or occupied by me
- ☐ placing an object upon, or causing an object to be placed upon, property owned, leased, or occupied by me

- ☐ f. interfering with efforts to remove my children/personal property from premises solely owned/leased by respondent.

- ☐ g. interfering with or destroying personal property owned/leased by respondent.

- ☐ h. interfering with me at my place of employment or education or impairing my employment or educational environment.

- ☐ i. purchasing or possessing a firearm.

- ☐ j. other: _____

7. ☐ **I request an ex parte order of protection because immediate and irreparable injury, loss, or damage will occur between now and a hearing or because notice itself will cause irreparable injury, loss, or damage before the order can be entered.**

8. ☐ Cause a Summons to be issued to respondent, setting a date, time, and place for a hearing to consider all relief to which petitioner may be entitled, including those matters contained in this Motion, and appropriate counseling for respondent and other relief as authorized by statute.

9. ☐ I have someone else petitioning for me. I certify that the person is not disqualified by statute and is an adult.

Date

Petitioner's Signature

COURT ACTION

Ex parte order/summons: ☐ Issued because _____

☐ Denied because _____

Summons only: ☐ Issued because _____

☐ Denied because _____

☐ Insufficient relationship _____

☐ Fails to state an act of domestic violence _____

Date: _____ Judge: _____

Request for Confidential Filing of Address

If you fear that disclosing your address would put you in danger because you are the victim of sexual battery, aggravated child abuse, stalking, aggravated stalking, harassment, aggravated battery, or domestic violence, you should complete this form and file it with the clerk of the LTBB Tribal Court.

This form should be typed or printed in black ink. After completing this form, you should file the original with the clerk and keep a copy for your records.

Please print your address below. This information will be kept confidential in the Little Traverse Bay Bands of Odawa Indians Tribal Court.

REQUEST FOR CONFIDENTIAL FILING OF ADDRESS

I, {full legal name} _____, request that the Court maintain and hold as confidential, the following address:

Address: _____

City _____ State _____ Zip _____

Telephone (area code and number) _____

This request is being made for the purpose of keeping the location of my residence unknown for safety reasons pursuant to Waganakising Odawak 2006-014 Section 216 providing for the separate confidential filing of address for safety reasons.

Dated: _____ Signature: _____

CLERK'S CERTIFICATE AS TO REQUEST FOR CONFIDENTIAL FILING OF ADDRESS

I, _____, as Clerk of the LTBB Tribal Court, do hereby certify that I received and filed the above and will keep the above address confidential, subsequent to further order of the Court relative to such confidentiality.

Dated: _____ Signature: _____